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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Niven, et al.

Examiner: John R. Sanders, Jr.

Serial No.: 09/918,678

Atty. Docket No.: P02877

Filed: July 30, 2001

Art Unit: 3737

For: ANTERIOR CHAMBER  
DIAMETER MEASUREMENT  
SYSTEM FROM LIMBAL RING  
MEASUREMENT

RESPONSE

Commissioner of Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

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APR 30 2004  
TECHNOLOGY CENTER R3700

HONORABLE SIR:

This response to the Office Action mailed on 22 October 2003 rejecting pending claims 1 – 24.

The Examiner has rejected the present application based on admissions in the present application and the prior art, the Grimmert article. The Examiner asserts that Grimmert discloses determining a limbus-to-limbus diameter from two (2) different methods, including a slit lamp and a photograph. The Examiner cites pages 332 and 333 for this proposition. Applicant's copy of the Grimmert article does not contain any page Numbers. However, the Applicant cannot find any reference to limbus-to-limbus diameter measurements. Rather, Grimmert is concerned with measuring clear zone diameters, i.e., the zone of the cornea, which does not contain any RK incisions. Said another way, Grimmert measures that area of the cornea that is free from any RK


incisions which is distinctly different from the Applicant's limbus-to-limbus diameter measurements. In addition to this, the Grimmatt article references the limbus and indicates that in some patients the limbus may be indistinct which may lead to imprecise horizontal cornea width-measurements. So in fact, the Grimmatt article teaches away from the very measurement that is sought to be achieved by the present invention. Since Applicant's copy of the Grimmatt article does not include page numbers, the relevant portion of the article has been attached to this response, and is highlighted.

In addition, Grimmatt does not suggest or teach specifically claimed elements of the invention. Grimmatt teaches manual measurement of the clear zone by use of calipers either in the slit lamp images or from the photographs. This is completely different from the electronic pixel distance measurements taught and claimed by the present application.

There simply is no prior art to suggest measuring a limbus-to-limbus diameter with a computing device as claimed by the present invention.

Therefore, it is respectfully submitted that the Examiner has not cited any art, which alone or taken together teaches or suggests the claimed inventions of the present application. Allowance of the pending claims 1 – 24 is therefore respectfully requested at an early date.

Respectfully submitted,



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Dated: April 22, 2004

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